

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BENEFICIAL INNOVATIONS, INC.

*Plaintiff,*

V.

AOL, LLC, et al,

*Defendants.*

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C. A. NO.: 2:07 CV 555 (JTW)

UNOPPOSED

**DEFENDANT GOOGLE INC.'S UNOPPOSED MOTION TO  
EXTEND TIME TO ANSWER, MOVE OR OTHERWISE  
RESPOND TO PLAINTIFF BENEFICIAL INNOVATIONS, INC.'S COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

1. Defendant Google Inc. hereby moves the Court to extend the time within which Defendant is required to move, answer, or otherwise respond to Plaintiff Beneficial Innovations, Inc.'s Complaint up to and including February 11, 2007.

2. Good cause exists for the granting of this motion and the motion is made for the reason and on the grounds that the additional time is necessary in order to allow counsel to adequately confer with their client and respond appropriately to Beneficial Innovations, Inc.'s Complaint.

3. This extension is not sought for the purposes of delay and specifically should not be the basis to delay any scheduling conference in this cause.

WHEREFORE, Defendant Google Inc. respectfully prays that the time to answer or otherwise move or respond to Beneficial Innovations, Inc.'s Complaint be enlarged until February 11, 2008.

Respectfully submitted,

GILLAM & SMITH, LLP

/s/ Melissa R. Smith  
Melissa R. Smith  
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**ATTORNEYS FOR DEFENDANT,  
GOOGLE INC.**

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Defendant, Google Inc. and counsel for Plaintiff, Beneficial Innovations, Inc. conferred on January 8, 2008, and Plaintiff does not oppose this motion.

/s/ Melissa R. Smith  
Melissa R. Smith

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 8<sup>th</sup> day of May, 2008.

/s/ Melissa R. Smith  
Melissa R. Smith